

3734 #4

Attorney Docket No. PHO 107 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

H. Craig DEES et al

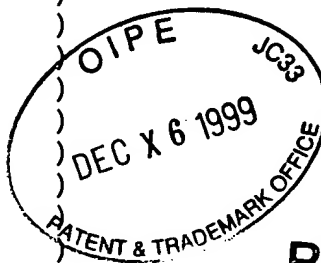
Serial No.: 09/382,622

Filed: August 25, 1999

Examiner:

Art Unit:

For: HIGH ENERGY PHOTOTHERAPEUTIC
AGENTS



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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. Copies of the references are enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention.


The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent

application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

A first office action, notice of allowance or issue fee notification has not been received in this case, so applicant does not believe that a fee is due. However, if any such fee is required, please charge our Deposit Account No. 50/1039.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 2, 1999

Cristine m. noll

Date 12/2/99